HON'BLE SRI JUSTICE L. NARASIMHA REDDY

WRIT PETITION No.16992 of 2007

Date: 09.08.2007

Between:
Yediresi Suryaprakasa Rao

.....Petitioner

And

The Divisional Engineer and others.

.....Respondents.

ORDER:

The petitioner is a tenant of the third respondent in respect of premises bearing Door No.7-22-29 of Vygram Road, Rajahmundry. The premises were extended the power supply through service connection No.6613. Respondents 1 and 2 have disconnected the power supply on 08.03.2007. The petitioner claims to have submitted a representation, dated 14.03.2007, to respondents 1 and 2 with a request to restore the power supply. His grievance is that no action has been taken thereon and seeks necessary directions for restoration of power supply.

Heard the learned counsel for the petitioner and the learned standing counsel for respondents 1 and 2.

There is a dispute between the petitioner on the one hand and the third respondent on the other as to the entitlement of the petitioner to continue in the premises. The petitioner filed O.S.No.290 of 2007 in the Court of the IV Additional Junior Civil Judge, Rajahmundry. An interim order is said to have been passed in I.A.No.298 of 2007 on 14.03.2007. The power supply was disconnected much before that date. Inasmuch as the dispute is pending adjudication in a suit, the petitioner can file an application in that very suit for restoration of the power supply. This Court does not find it appropriate to entertain a writ petition, when a suit is pending between the parties.

Hence, the writ petition is disposed of, leaving it open to the

petitioner to file an application in O.S.No.290 of 2007 seeking restoration of power supply. There shall be no order as to costs.

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09.08.2007

kdl